

Prob 12B
(Rev. 08/15 - D/SC)

United States District Court

for

District of South Carolina

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Joseph E. Houston, III

Case Number: 0:11CR02273-001

Name of Sentencing Judicial Officer: The Honorable Joseph F. Anderson, Jr., United States District Judge

Date of Original Sentence: August 7, 2012

Original Offense: False Statement, in violation 18 U.S.C. §1001 (a)(2)

Original Sentence: The defendant was sentenced to 60 months of probation with the following additional conditions: 1) The defendant shall be placed on a Location Monitoring Program without electronic monitoring for a term of six months; 2) The defendant shall participate in a financial or consumer credit counseling program as approved by the U.S. Probation Office; 3) The defendant shall satisfactorily participate in a substance abuse treatment program, to include drug testing, as approved by the U.S. Probation Office; 4) Unless able to secure stable and verifiable employment, the defendant shall participate in a Vocational Training Program or Workforce Development Program as approved by the U.S. Probation Office; 5) Pay restitution in the amount of \$10,106.00 in minimum monthly installments of not less than \$100.00 beginning 30 days after imposition of his sentence; and 6) Pay a \$100.00 special assessment.

Type of Supervision: Probation

Date Supervision Commenced: August 7, 2012

Previous Court Action/Notifications:

On March 12, 2014, the Court was notified via Probation Form 12A that the defendant was in arrears with his financial obligation. On March 14, 2014, Your Honor agreed with the United States Probation Officer's recommendation that the defendant be continued under supervision and that no action be taken in reference to a violation hearing.

On August 4, 2015, the Court was notified via Probation Form 12A that the defendant was arrested and charged with new criminal conduct (Driving Under the Influence-1st Offense (Uniform Traffic Ticket No.: 79863GZ)). On August 25, 2016, Your Honor agreed with the United States Probation Officer's recommendation that the defendant's case be held in abeyance until a disposition was reached on the new criminal charges.

PETITIONING THE COURT☐

To extend the term of supervision for _____ years, for a total term of _____ years.

☒

To modify the conditions of supervision as follows:

The defendant shall complete 40 hours of community service work or participate in a community service work project as directed by the United States Probation Office.

CAUSE

On February 5, 2016, Mr. Houston appeared in the Rock Hill Municipal Court, Rock Hill, South Carolina, and pled guilty to Driving with an Unlawful Alcohol Concentration-1st Offense (Case No. 0188180), which was a lesser charge than the original Driving Under the Influence-1st Offense charge. He was fined \$196.62 plus court costs. At this time, the supervising officer is recommending that the conditions of supervision be modified, and Mr. Houston complete 40 hours of community service work or participate in a community service work project as directed by the United States Probation Office. Mr. Houston has agreed to the above-mentioned modification as evidenced by his signature on the attached Probation Form 49 (Waiver of Hearing to Modify Conditions). The supervising officer will continue to monitor Mr. Houston's case and will notify the Court of any future noncompliance.

Should Your Honor not concur with this course of action, we stand ready to serve at the direction of the Court.

Respectfully submitted,

By: J. N. Bookard, II
Jake N. Bookard, II
U.S. Probation Officer

Date: May 18, 2016

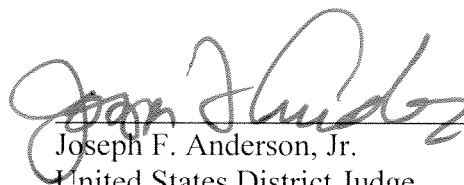
Reviewed and Approved By:


H. A. DuRant, Jr.

Hazel A. DuRant, Jr.
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☐ No action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above.
- ☐ Other



Joseph F. Anderson, Jr.
United States District Judge


Date

Prob 49
(Rev. 07/13 - D/SC)

UNITED STATES DISTRICT COURT

Columbia, District of South Carolina

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation/Supervised Release or my period of supervision being extended. By "assistance of counsel", I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation/Supervised Release or to the proposed extension of my term of supervision:

The defendant shall complete 40 hours community service work or participate in a community service work project as directed by the United States Probation Office.

Witness:

J. N. Bookard, II
Jake N. Bookard, II
U.S. Probation Officer

Signed:

Joseph E. Houston, III
Joseph E. Houston, III
Supervised Releasee

05/09/16
Date